

The Honorable Lauren King

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID D. BUTLER,

Plaintiff,

v.

JAMES HANKEN, et al.,

Defendants.

No. 2:23-cv-01624-LK-BAT

STIPULATED MOTION AND  
ORDER EXTENDING CASE  
DEADLINES

Noted for Consideration:  
November 1, 2024

**STIPULATED MOTION**

Pursuant to Local Civil Rules 7(d)(1) and 10(g), Plaintiff David Butler (“Plaintiff”) and Defendants James Hankin, Calvin Cogburn, and Dr. Steven Jewitt (“Defendants”) hereby stipulate and agree to the following proposed deadline extending the pre-trial dates in the above-captioned matter, subject to the Court’s approval.

1. On September 30, 2024, the Court entered its Order Granting the Parties’ stipulated trial date and pretrial schedule. *See* Dkt. 31.

2. Counsel for Plaintiff has been unexpectedly out of office and on extended leave due to a medical emergency. On October 28, 2024, the Parties agreed to extend the deadlines for the case to ensure the parties may conduct a meaningful investigation into the additional claims raised by Mr. Butler in *Butler v. Bowen et al.*, 2:24-cv-1071-KKE, which has since been consolidated with the above-captioned action. *See* 2:24-cv-01071-KKE, Dkt. 6. In accordance with the above, the Parties thus stipulate and agree to the following amended case pre-trial schedule (subject to Court approval):

Event	Current Date	Requested Date
Deadline for Amended pleadings.	November 1, 2024	December 6, 2024
Reports of expert witnesses under FRCP 26(a)(1) due	January 10, 2025	February 14, 2025
Reports of rebuttal expert witnesses under FRCP 26(a)(2) due	January 24, 2025	February 28, 2025
All motions related to discovery must be noted for consideration no later than	January 17, 2025	February 21, 2025
Discovery to be completed by	February 14, 2025	March 21, 2025
All dispositive motions and motions challenging expert witness testimony must be filed by this date (see LCR 7(d)). Such motions must be noted for consideration no later than 28 days thereafter (see LCR 7(d)).	March 7, 2025	April 11, 2025
Settlement conference, if mediation has been requested by the parties per LCR 39.1, held no later than	March 21, 2025	April 25, 2025
Mediation per LCR 39.1(c)(3) held no later than	April 4, 2025	May 9, 2025
All motions in limine must be filed by	TBD (pending trial date)	TBD (pending trial date)
Proposed jury instructions and agreed LCR 16.1 Pretrial Order due, including exhibit list with completed authenticity, admissibility, and objection fields	TBD (pending trial date)	TBD (pending trial date)
Trial briefs, proposed voir dire questions, and deposition designations due	TBD (pending trial date)	TBD (pending trial date)
Pretrial conference scheduled at 10:00 am on	TBD (pending trial date)	TBD (pending trial date)

3. Based on the foregoing, the parties respectfully request that the Court grant their stipulated motion and extend the case schedule accordingly.

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IT IS SO STIPULATED.

DATED this 1st day of November, 2024.

Davis Wright Tremaine LLP

By s/ Joby Celoza

John Goldmark, WSBA #26369

Joby Celoza, *pro hac vice*

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*Counsel for Defendants*

### **ORDER**

The Court GRANTS the Parties' stipulated motion. The pretrial schedule is modified as follows:

Event	Current Date	New Date
Deadline for Amended pleadings.	November 1, 2024	<b>December 6, 2024</b>
Reports of expert witnesses under FRCP 26(a)(1) due	January 10, 2025	<b>February 14, 2025</b>
Reports of rebuttal expert witnesses under FRCP 26(a)(2) due	January 24, 2025	<b>February 28, 2025</b>
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Trial briefs, proposed voir dire questions, and deposition designations due	TBD (pending trial date)	<b>TBD (pending trial date)</b>
Pretrial conference scheduled at 10:00 am on	TBD (pending trial date)	<b>TBD (pending trial date)</b>

IT IS SO ORDERED this 4th day of November, 2024.



BRIAN A. TSUCHIDA  
United States Magistrate Judge